

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

VERNA IP HOLDINGS, LLC,

Plaintiff,

v.

ALERT MEDIA, INC.,

Defendant

Civil Action No. 6:23-cv-00373-ADA

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**CASE READINESS STATUS REPORT**

Plaintiff, Verna IP Holdings, LLC, (“Verna” or “Plaintiff”) hereby provides the following Case Readiness Status Report in accordance with the Court’s April 4, 2023 notice regarding the Court’s Standing Order Governing Proceedings – Patent Cases Version 4.3 (the “OGP”). Plaintiff has conferred with counsel for and Defendant, Alert Media, Inc., (“Alert Media” or “Defendant”).

**SCHEDULE**

A scheduling order has not yet been filed.

**FILING AND EXTENSIONS**

Plaintiff’s Original Complaint for Patent Infringement (ECF No. 1) was filed on May 16, 2023. Plaintiff did not properly serve the Complaint in accordance with Fed. R. Civ. P. 4. (*See* ECF No. 7.)

**RESPONSE TO THE COMPLAINT**

Defendant has not yet answered the Complaint because the Complaint was never properly served in accordance with Fed. R. Civ. P. Rule 4. (*See* ECF No. 7.)

### **PENDING MOTIONS**

Defendant's Motion to Dismiss for Failure to Serve (ECF No. 7) and Rule 12(b)(5) Motion to Dismiss for Insufficient Service (ECF No. 11) are currently pending before this Court.

### **RELATED CASES IN THIS JUDICIAL DISTRICT**

None pending. This case is related to a series of previously-filed lawsuits on related patents which Plaintiff voluntarily dismissed. *See Alert Media v. Verna*, No. 6:21-cv-00422 (W.D. Tex.) and *Alert Media v. Verna*, No. 6:22-cv-00387 (W.D. Tex.). In the 6:21-cv-00422 case, this Court granted Defendant's award for fees in the amount of \$48,076.50. (ECF No. 63.) Plaintiff failed to timely pay in accordance with this Court's orders and has not indicated that it will pay.

### **IPR, CBM, AND OTHER PGR FILINGS**

There are no known IPR, CBM, or other PGR filings.

### **NUMBER OF ASSERTED PATENTS AND CLAIMS**

Plaintiff has asserted one patent and a total of 1 claim. The asserted patent is U.S. Patent No. 11,403,932.

### **APPOINTMENT OF TECHNICAL ADVISER**

The parties defer to the Court on whether to appoint a technical advisor to the case to assist the Court with claim construction or other technical issues.

### **MEET AND CONFER STATUS**

Plaintiff and Defendant conducted a meet & confer conference on October 17, 2023, by e-mail. Defendant respectfully requests that the Court hear the pending Motion to Dismiss for Failure to Serve (ECF No. 7) and Rule 12(b)(5) Motion to Dismiss for Insufficient Service (ECF No. 11) at the CMC. As such Plaintiff files this CRSR on its own.

Respectfully Submitted,

**Ramey, LLP**

/s/ William P. Ramey, III

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*Attorneys for Verna IP Holdings, LLC*

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure, I hereby certify that all counsel of record who have appeared in this case are being served on this day of October 20, 2023, with a copy of the foregoing via the Court's CM/ECF system.

/s/ William P. Ramey, III

William P. Ramey, III